

Ari Marcus, Esq.
Marcus & Zelman, LLC
701 Cookman Avenue, Suite 300
Asbury Park, New Jersey 07712
Tel: 732-695-3282
Fax: 732-298-6256
ari@marcuszelman.com
[Additional counsel appearing on signature page]

Counsel for Plaintiffs and the Putative Class

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

STEWART SMITH, individually and
on behalf of all others similarly
situated,

Plaintiffs,

v.

PRO CUSTOM SOLAR LLC d/b/a
MOMENTUM SOLAR, a New
Jersey limited liability company,

Defendant.

CIVIL ACTION

Case No. 2:19-cv-20673

NOTICE OF SETTLEMENT

Plaintiff hereby provides notice that the Parties have reached a settlement in this case and states as follows:

1. Plaintiff filed the instant case alleging violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* (“TCPA”). (See Dkt. 1.)
2. Plaintiff and Defendant have engaged in settlement discussions and have reached an agreement to resolve the individual claims brought by Plaintiff. The claims of any putative, unidentified class members will be

dismissed without prejudice while Plaintiff's claims will be dismissed with prejudice.

The Parties are presently working to finalize a settlement agreement and believe a Stipulation of Dismissal will be filed within sixty (60) days.

Respectfully submitted,

Dated: April 15, 2021

By: /s/ Ari Marcus
One of Plaintiffs' Attorneys

Ari Marcus, Esq.
Marcus & Zelman, LLC
701 Cookman Avenue, Suite 300
Asbury Park, New Jersey 07712
Tel: 732-695-3282
Fax: 732-298-6256
ari@marcuszelman.com

Steven L. Woodrow*
swoodrow@woodrowpeluso.com
Patrick H. Peluso*
ppeluso@woodrowpeluso.com
Taylor T. Smith*
tsmith@woodrowpeluso.com
Woodrow & Peluso, LLC
3900 E. Mexico Avenue, Suite 300
Denver, Colorado 80210
Telephone: (720) 213-0676
Facsimile: (303) 927-0809

*Admitted *Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2021, I caused the foregoing to be sent to all attorneys of record by filing such papers with the Court using the Court's electronic filing system.

Dated: April 15, 2021

By: /s/ Ari Marcus